

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Crim. No. 20-233 (JRT/BRT)

UNITED STATES OF AMERICA,

Plaintiff,

v.

- (1) CODY WAYNE TIMMERMAN,
also known as “Ben Davis,”
- (2) IRMA BEATRICE TIMMERMAN,
also known as “Grace,”
- (3) SIARRA IRIS DAWN GALLEGOS,
also known as “Holly” and “Sarah,”
- (4) JUSTIN DONALD SUHAJDA,
- (5) TODD ALLEN HUGHES,
also known as “Eric” and “Justin,”
- (6) DEREK BOLF,
- (7) ANDREW WHITAKER,
- (8) SAMAN MOGHBEL, and
- (9) ABDOU DIALLO,
also known as “Abdou-Rahmane Diallo,”

MOTION TO UNSEAL

Defendants.

The United States of America, by and through its attorneys, Charles J. Kovats, Jr., Acting United States Attorney for the District of Minnesota, and Joseph H. Thompson, Harry M. Jacobs, and Melinda A. Williams, Assistant United States Attorneys, hereby moves the Court for an order to unseal the case, including the Indictment, in the above-referenced matter.

This motion is based upon the records and proceedings in this matter. Specifically, on October 20, 2020, the government requested that the Indictment be sealed because defendants had not yet been arrested and the public filing of these

materials could alert the defendants and result in their flight and destruction of evidence. After the defendants located in the United States were apprehended, the Court unsealed the indictment with respect to those defendants. Because defendants located outside of the United States had yet to be apprehended, the government filed a redacted Indictment, redacting out the names of these individuals.

On or about February 28, 2022, one of the Canadian defendants—Saman Moghbel—entered an initial appearance and guilty plea. The government subsequently filed a motion to unseal the indictment with respect to Mr. Moghbel, and filed a redacted indictment in which his name was unsealed. Dkt. ##174-75.

On March 30, 2022, defendant Abdou Diallo boarded a flight in Montreal, Canada, bound for Miami, Florida. Diallo was arrested upon arrival at Miami International Airport. He is scheduled to make an initial appearance in the Southern District of Florida on March 31, 2022. In light of Mr. Diallo's arrest, the government no longer has flight or destruction of evidence concerns as to Mr. Diallo, and thus unsealing is unwarranted.

The remaining two sealed defendants remain in Canada. Both defendants are represented by counsel and are aware of the Indictment and charges pending against them.

For the foregoing reasons, the government respectfully requests that this case, and the Indictment, be unsealed.

Dated: March 30, 2022

Respectfully Submitted,

CHARLES J. KOVATS, JR.
Acting United States Attorney

BY: *s/ Joseph H. Thompson*
JOSEPH H. THOMPSON
HARRY M. JACOBS
MELINDA A. WILLIAMS
Assistant U.S. Attorneys